

Chapter VI: Consultation and Coordination

Compliance History

Environmental laws and regulations pertaining to the protection of resources did not exist when the Cascades Diversion Dam was constructed in 1917. Environmental compliance for Cascades Diversion Dam began in 1982, when alternatives for managing the future of the hydroelectric generating facility were considered. An overview of environmental compliance documents completed pursuant to the National Environmental Policy Act that relate to Cascades Diversion Dam are presented below.

Hydroelectric Power System Environmental Assessment (NPS 1982). The purpose of this document was to study and evaluate alternatives for approaching the future of the then 62-year-old hydroelectric generating facility. Alternatives included retaining, replacing, enlarging, and abandoning the system. The preferred alternative proposed repairs, replacements, and a slight increase in capacity.

Electrical Distribution System Replacement and Cascades Dam Removal Environmental Assessment (NPS 1987b). The purpose of this document was to consider alternative proposals for the removal of the abandoned Cascades Diversion Dam and the restoration of the dam site to natural conditions.

Addendum to the Electrical Distribution System Replacement and Cascades Dam Removal Environmental Assessment (NPS 1987a). This document provided additional data on the removal of Cascades Diversion Dam. The addendum concluded that further environmental analysis would be required to make an informed decision on the method and extent of dam removal. Consequently, removal of the dam was eliminated from the project.

Finding of No Significant Impact, Phase II Replacement of the Electrical Distribution System in Yosemite Valley (NPS 1987c). The Finding of No Significant Impact described replacement of the electrical distribution system within Yosemite Valley.

Finding of No Significant Impact, Electrical Distribution System Replacement (NPS 1988). The Finding of No Significant Impact presented the preferred alternative described in the *Electrical Distribution System Replacement and Cascades Dam Removal Environmental Assessment* (NPS 1987b), excluding removal of Cascades Diversion Dam and attendant structures.

Merced Wild and Scenic River Comprehensive Management Plan (Merced River Plan) (NPS 2001a). The Merced River Plan applies seven management elements to prescribe desired future conditions, typical visitor activities and experiences, and park facilities and management activities allowed in the river corridor. The Merced River Plan applies to any project that is within the Wild and Scenic River boundary, or that would affect the Outstandingly Remarkable Values or free-flowing condition of the river. Removal of the Cascades Diversion Dam complies with the intent of the Merced River Plan to protect and enhance free-flowing conditions.

Yosemite Valley Plan (NPS 2000a). The National Park Service recently developed the *Yosemite Valley Plan* to implement the goals of the *General Management Plan* in Yosemite Valley. The *Yosemite Valley Plan* is designed to meet the resource preservation and visitor experience goals in Yosemite Valley, and calls out specific actions to meet these goals. Among the actions identified in the *Yosemite Valley Plan* is removal of Cascades Diversion Dam.

Scoping History

On April 18, 2001, the National Park Service held an informal public scoping meeting to discuss the potential removal of Cascades Diversion Dam. The meeting included project orientation, group discussion, and a visit to the dam site to view the existing conditions. The purpose of the informal public scoping meeting was to: (1) provide participants with an overview of existing conditions and the proposed action; (2) ask participants to identify key issues that should be analyzed during the environmental review and compliance process; and (3) provide an opportunity for participants to ask questions regarding project alternatives and the overall environmental review and compliance process. Public scoping comments were accepted through April 27, 2001.

Over 75 public scoping comments were received. All comments were reviewed and analyzed to determine public concerns. In addition, the National Park Service posts a project fact sheet and project planning updates on the park's web site. Project planning updates have also been presented at ongoing open house meetings and in the park's planning update newsletter. Based on public scoping comments and applicable federal law, regulations, and executive orders, the National Park Service determined that an environmental assessment (not an environmental impact statement) would be the appropriate level of compliance for the Cascades Diversion Dam Removal Project. Public scoping comments and issues raised by National Park Service staff were used in the alternatives development process and the analysis presented in this document.

Agency Consultation

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers issued a Special Site Permit for the Cascades Diversion Dam Removal Project in conjunction with preparation of the *El Portal Road Improvements Environmental Assessment* in 1997. In December 2002, the National Park Service requested an extension on the timeline of the permit for dam removal activities. The extended permit would be valid only for actions related to dam removal and not for future El Portal Road improvements. In addition, the National Park Service notified the U.S. Army Corps of Engineers that the Cascades Diversion Dam Removal Project was a discrete project from the future El Portal Road Improvement Project and would not include road improvements. The extended permit would be in place prior to implementation of the Cascades Diversion Dam Removal Project.

Central Valley Regional Water Quality Control Board

The National Park Service is currently coordinating with the Central Valley Regional Water Quality Control Board to obtain required permits. The National Park Service may be required to submit a report of waste discharge, and obtain Waste Discharge Requirements or an individual waiver.

Copies of the existing waste discharge waiver are on file at Yosemite National Park. The permit would be in place prior to implementation of the Cascades Diversion Dam Removal Project.

U.S. Fish and Wildlife Service

The Endangered Species Act of 1973, as amended (16 United States Code 1531 et seq.), requires all federal agencies to consult with the U.S. Fish and Wildlife Service to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat. The National Park Service requested a list of federally listed endangered and threatened species that may be present in the Cascades Diversion Dam Removal Project area from the U.S. Fish and Wildlife Service on September 23, 2002. The list received from the U.S. Fish and Wildlife Service on September 27, 2002 was used as a basis for the special-status analysis in this environmental assessment (see Appendix D, Special-Status Species Evaluation). Consultation with the U.S. Fish and Wildlife Service will continue, as defined by Section 7 of the Endangered Species Act, as environmental compliance for the Cascades Diversion Dam Removal Project is finalized.

California State Historic Preservation Officer/Advisory Council on Historic Preservation

Cascades Diversion Dam has been the subject of previous evaluation and mitigation actions, as described at the beginning of this chapter. In 1986, the National Park Service evaluated the impacts associated with the demolition, relocation, and/or rehabilitation of all components of the Yosemite Hydroelectric Power Plant (also known as the Cascades Powerhouse). This evaluation included the removal of the dam. With the completion of this evaluation, the National Park Service completed the consultation process associated with Section 106 of the National Historic Preservation Act of 1966, as amended. As part of this process, the National Park Service signed a Memorandum of Agreement with the California State Historic Preservation Officer and the Advisory Council on Historic Preservation. A copy of the memorandum is located at the end of this chapter. The memorandum identified stipulations for dam removal, including the preparation of Historic American Engineering Report documentation, the submittal of archival photographs and narrative to the State Historic Preservation Officer and the Fresno Metropolitan Museum, and the development of an accurate scale model of the entire Merced River hydroelectric system. The National Park Service has complied with the various stipulations of the Memorandum of Agreement and has sent a letter to the State Historic Preservation Officer indicating that the Section 106 consultation process is complete.

In addition to compliance with stipulations of the 1986 Memorandum of Agreement, removal of the dam would also comply with the requirements in Appendix E (Adverse Effects and Standard Mitigation Measures for Historical Properties) of the *Yosemite Valley Plan*. These requirements are included in the 1999 Programmatic Agreement between the National Park Service, the State Historic Preservation Officer, and the Advisory Council on Historic Preservation for the “Resolution of Adverse Effects” associated with planning, construction, operations, and maintenance activities within Yosemite National Park.

American Indian Consultation

As part of the development of the *Draft and Final Yosemite Valley Plan/SEIS*, the National Park Service consulted with the following park-associated, federally recognized tribes and nonfederally recognized American Indian communities who refer to themselves as “tribes”: the American Indian Council of Mariposa County, Inc.; the North Fork Mono Rancheria; the Tuolumne Band of Me-Wuk Indians; the Chukchansi Tribal Government; the Mono Lake Indian Community; the Bridgeport Paiute Indian Colony; and the Bishop Paiute Tribal Council. These consultations were ongoing throughout the planning process for the *Yosemite Valley Implementation Plan/SEIS* and will continue through the design and implementation phases for activities taking place under the *Yosemite Valley Plan*. At present, the National Park Service is consulting with seven American Indian tribes and groups regarding such as issues access for traditional use, gathering of traditional materials, protection and mitigation of impacts to traditional cultural resources, and preservation and management of important cultural places.

Between June 28, 2000 and July 17, 2000, National Park Service representatives met with representatives from seven tribal groups associated with Yosemite National Park. Since July of 2000, tribal consultation has been ongoing regarding concerns associated with the proposed project. Recently, the National Park Service requested that the Southern Sierra Miwok identify concerns regarding plant gathering within the river corridor between Cascades Diversion Dam and Cascades Picnic Area.

Future Information

Updated information about various aspects of the Cascades Diversion Dam Removal Project will be periodically distributed via newsletters, mailings, the Yosemite National Park web site (www.nps.gov/yose/planning), and regional and local news media. There will be a 30-day public comment period on the environmental assessment.

Written comments regarding this document should be directed to:

Mail: Superintendent, Yosemite National Park
ATTN.: Cascades Diversion Dam Removal Project
P.O. Box 577
Yosemite, California 95389

Fax: 209/379-1294
Email: Yose_Planning@nps.gov

Written comments will also be accepted at the National Park Service planning open house held on February 26, 2003 (2:00 p.m. to 6:00 p.m.) at the Yosemite Valley Visitor Center East Auditorium. Planning teams will be on hand to answer questions and provide more information regarding the Cascades Diversion Dam Removal Project, as well as several other Yosemite National Park planning efforts.

This document can be reviewed online at www.nps.gov/yose/planning. To request a printed copy, refer to the information directly above or phone 209/379-1365.

List of Agencies, Organizations, and Businesses that Received the Cascades Diversion Dam Removal Project Environmental Assessment

Acton – Agua Dulce Trails Council	California Native American Heritage Commission
ADA Compliance Service	California Office of Historic Preservation
Advisory Council on Historic Preservation	California Office of Planning and Research
AIA California Council	California Regional Water Quality Control Board
Alameda County Public Library	California State Clearinghouse
All Seasons Groveland Inn	California State Department of Justice
American Alpine Club	California State Mining and Mineral Museum
American Hiking Society	California State Resources Agency
American Indian Council of Mariposa, Inc.	California State Senate
American River Club	California Trade and Commerce Agency
American Whitewater	California Trout Inc, Sierra Nevada Office
Ansel Adams Gallery	California Bicycle Coalition
Antelope Valley Press	California Preservation Foundation
Associated Press	California State Automobile Association
Automobile Club of Southern California	California State Library
Backcountry Horsemen of California	California Wilderness Coalition
Bakersfield Californian	Californians for Western Wilderness
Bassett Memorial Library	Canyonlands National Park
Biophilia Society	Central Sierra Environmental Resource Center
Bishop Chamber of Commerce	California Native Plant Society Sequoia Chapter
Bureau of Land Management	Coconino National Forest
Bureau of Reclamation	Coldwell Banker – Dan Blough & Associates
California Department of Boating and Waterways	Columbia College Library
California Department of Fish and Game	Comfort Inn
California Department of Parks and Recreation	Congressman George Miller
California Department of Justice, Attorney General	Conservation Study Institute
California Department of Transportation (Caltrans)	Contra Costa Times
Caltrans, Transportation Planning Branch	Council of Fresno County Governments
Caltrans Central Regional Environmental Analysis Office	California State University Fresno, Henry Madden Library
Caltrans District 9	California State University Sacramento
Caltrans District 6	California State University Stanislaus
Caltrans Division of Transportation Planning, MS32	Cycle California! Magazine
Caltrans Environmental Planning	David Evans & Associates, Inc.
Caltrans New Technology and Research	Delaware North Corporation
Caltrans Planning	

Department of Defense U.S. Army Corps of Engineers
Earth First! –Santa Cruz
Earth Island Institute
Earthjustice Legal Defense Fund
East Bay Bicycle Coalition
Eastern Madera County Chamber of Commerce
ECO News
Economic Development Council
El Portal Chevron
El Portal Homeowners Association
El Portal Market
El Portal Town Planning Advisory Committee
Environment & Natural Resources
Environment Now
Environmental Defense Fund
Environmental Science Associates
Federal Emergency Management Association
Fish Camp Advisory Council
Fish Camp Property Owners Association
Foothill Resources
Foresta Preservation Association
Fresno Chamber of Commerce
Fresno County Board of Supervisors
Fresno County Planning and Resource Management
Fresno County City Planning Department
Fresno Flats Historical Library, SHSA
Fresno Visitors Bureau
Friends of the Earth
Friends of the River
Friends of the River/American Rivers
Friends of Yosemite Valley
George Radanovich, Representative
Groveland Branch Library
Groveland Community Services District
Groveland Ranger District
Groveland Rotary
HA Lewis, Inc
Heritage Trails
Highway 120 Association

Highways Magazine
Host Communications
Humboldt-Toiyabe National Forest
Inyo County Planning Department
Inyo National Forest
John T. Doolittle, Representative
KCBS-AM Radio
KCRA TV
KFBK Radio
KFIV Radio
KGO Radio
KMJ Radio
KMPH Radio
KOVr TV
KQED Radio
KTVU
KUHL/KZSQ Radio
KVML, KZSQ, & KKBN
KXTV
Los Angeles City Public Library
Los Angeles Times
Madera County
Madera County Board of Supervisors
Madera County Chuckchansi Tribal Government
Madera County North Fork Mono Indian Museum
Mammoth Lakes Chamber of Commerce
Marin County Public Library
Mariposa County
Mariposa County Air Pollution Control District
Mariposa County Board of Supervisors
Mariposa County Chamber of Commerce
Mariposa County Department of Public Works
Mariposa County High School
Mariposa County Planning Department
Mariposa County Public Library
Mariposa County Unified School District
Mariposa County Visitors Bureau
Mariposa Gazette
Mariposa Horse Association
Mariposa Public Utility District

Mariposa Superintendent of Public Schools
 Mariposa Tribune
 Merced Conference and Visitor Center
 Merced County Association of Governments
 Merced County Planning Commission
 Merced County Planning Department
 Merced Irrigation District
 Merced Sun Star
 MERG
 MIG-Berkeley
 Minarets Ranger District
 Modesto County City Planning Department
 Modesto County Planning Department
 Mono County Board of Supervisors
 Mono County Bridgeport Paiute Indian Colony
 Mono County Community Development Department
 Mono County Mono Lake Indian Community
 Mono County Planning Department
 Monograph Acquisition Services
 Mountain Light Photography
 National Tour Association
 National Trust for Historic Preservation
 Native Habitats
 Natural Resources Council
 Natural Resources Defense Council
 NBC News
 NBC TV
 Newsweek
 North Fork Rancheria
 Northcoast Environmental Center
 National Parks and Conservation Association, National Office
 National Park Service (NPS)
 NPS – Air Resources Division
 NPS – Columbia Cascades Seattle Office
 NPS – Denver Service Center
 NPS – Pacific West Region
 NPS – Pacific Great Basin Support Office
 NPS – Water Resources Division

NPS – Office of Legislative and Congressional Affairs
 Oakhurst Public Library
 Oakland Tribune
 Office of Assemblyman Dave Cogdill
 Official Trip Reports
 SBC Pacific Bell
 Pacific Gas and Electric Public Affairs
 Pacific Legal Foundation
 Planning and Conservation League
 Pacific Southwest Region Forest and Range Experimental Station
 Ramada Limited Oakhurst
 Royston, Hanamoto Alley & Abey
 Robert Crown Law Library
 Royal Robbins, Inc.
 Sacramento County Public Library
 Salazar Library, Sonoma State University
 San Bernardino County Public Library
 San Francisco Chronicle
 San Francisco City Public Library
 San Francisco Examiner
 San Francisco Public Utilities Commission, Hetch Hetchy Water & Power
 San Joaquin Valley Air Pollution Control District
 San Jose City Public Library
 San Jose Mercury News
 Santa Cruz County Library
 Save-the-Redwoods League
 Saving Yosemite
 Scotty's B&B/Cabin Rentals
 Service Employees International Union Local 535
 Sequoia Alliance
 Sierra Club
 Sierra Club Condor Group
 Sierra Club Loma Prieta Chapter
 Sierra Club Merced Group
 Sierra Club National Office
 Sierra Club Range of Light, Toiyabe Chapter
 Sierra Club Tuolumne Group
 Sierra Club Yosemite Committee
 Sierra Communications

Sierra National Forest
Sierra Railroad Company
Sierra Star
Sierra Telephone
Sonoma County Library
Sonora Union Democrat
Soroptomist International of Groveland
Saint Patrick-Saint Vincent High School
Stanford University Green Library
Stanislaus County Environmental Review
Committee
Stanislaus Council of Government
Stanislaus County Library
Stanislaus National Forest
State Water Resources Control Board
Stockton Record
Teamsters 386
The Access Fund
The Fresno Bee
The Modesto Bee
The Mountain Democrat Newspaper
The Redwoods in Yosemite
The Sacramento Bee
The Trust for Public Land
Theroux Environmental
Tioga Lodge
The Nature Conservancy Weed Program
Tuolumne County
Tuolumne County Board of Supervisors
Tuolumne County Chamber of Commerce
Tuolumne County Community
Development
Tuolumne County Department of Public
Works
Tuolumne County Planning Commission
Tuolumne County Tuolumne Me-wuk
Tribal Council
Tuolumne County Visitor Bureau
University of California Berkeley Bancroft
Library
University of California Davis Shields
Library
University of California Water Resources
Center Archives

University of California Los Angeles Maps
and Government Information Library
University of California Los Angeles Young
Research Library
United States Attorney's Office
University of California Library Tech
Services
University of Minnesota Forestry Library
URS
U.S. Congress
U.S. Department of Justice
U.S. Department of the Interior, Bureau of
Land Management
U.S. Environmental Protection Agency,
Region IX
U.S. Fish and Wildlife Service
U.S. Geological Survey (USGS)
U.S. Post Office
USA Media
U.S. Department of Agriculture, Natural
Resource Conservation Service
U.S. Department of the Interior Library
USGS Publications Department
USGS Water Resources Division, Western
Region
Via Adventures
Wawona Area Property Owners Association
Wawona Town Plan Advisory Committee
Wild Earth Advocates
Wild Wilderness
Wilderness Society
Wilderness Watch
Wildlands Center for Preventing Roads
Yosemite Association Board of Trustees
Yosemite Area Audubon
Yosemite Association
Yosemite Bug Hostel
Yosemite Campers Association
Yosemite Campers Coalition
Yosemite Concession Services
Yosemite Fund
Yosemite Guides
Yosemite Institute
Yosemite Mobilization Committee
Yosemite Motels

Yosemite Mountaineering School
Yosemite Partners GMP
Yosemite Pines
Yosemite Research Center
Yosemite Research Library
Yosemite Restoration Trust
Yosemite Sierra Visitors Bureau
Yosemite Sightseeing Tours
Yosemite Valley Railroad Company
Yosemite Valley School
Yosemite West Group
Yosemite West Home Owners
Yosemite West Real Estate

**INSERT ADVISORY COUNCIL ON HISTORIC PRESERVATION
DATED JUNE 6, 1996 (4 PAGES)**